



UNITED STATES MARINE CORPS  
COMMANDING GENERAL  
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MARINE CORPS AIR GROUND COMBAT CENTER  
TWENTYNINE PALMS, CALIFORNIA 92278-8100

CCO 12735.1B

201

MAY 20 1997

COMBAT CENTER ORDER 12735.1B

From: Commanding General  
To: Distribution

Subj: COMBAT CENTER POLICY ON PREVENTION OF SEXUAL HARASSMENT OF CIVILIAN  
EMPLOYEES

Ref: (a) 29 CFR 1604.11 (EEOC MD-704) (NOTAL)  
(b) SECNAVINST 5300.26b (NOTAL)

Encl: (1) Commanding General's Policy Statement on Prevention of Sexual Harassment

1. Purpose. To set forth a proactive policy for the prevention of sexual harassment of Civil Service employees within the work environment at the Marine Corps Air Ground Combat Center (MCAGCC) in accordance with reference (a) and (b).

2. Cancellation. CCO 12735.1A.

3. Discussion

a. Sexual harassment is deliberate or negligent, unacceptable physical or verbal behavior containing sexual overtones that adversely impacts the productivity in the work environment and interferes with mission accomplishment at MCAGCC, Twentynine Palms.

b. The Department of the Navy defines sexual harassment as a form of unlawful discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, career; or,

(2) Submission to or rejection of such conduct by a person is used as a basis for career, or employment decisions affecting that person; or,

(3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

c. Reference (a) established guidelines for Federal employees which affirms that sexual harassment is an unfair employment practice under Title VII of the Civil Rights Act of 1964, as amended, when conditioned upon employment factors as outlined in the enclosure.

**MAY 20 1997**

d. This inappropriate behavior, whether physical or verbal, is unlawful when:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, career; or,

(2) Submission to or rejection of such conduct by a person is used as a basis for career, or employment decisions affecting that person; or,

(3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

e. Sexually harassing behavior may be physical or verbal in nature creating unpleasant emotional reactions in the person experiencing them and generating stress which may impair the ability of that person in the performance of duties. Obvious forms of sexual harassment include grabbing, touching, leering, jokes, invitations or comments on appearance, or any behavior with sexual overtones which is intimidating or offensive to the recipient or observers of the behavior.

f. Alleged instances of sexual harassment will be dealt with individually based on facts and circumstances. Some behavior, although not described in this Order, will always be sexually harassing.

g. Managers and supervisors of civilian employees at MCAGCC, Twentynine Palms, are liable for the actions of their subordinates when they know or should have known of instances of inappropriate behavior. Each managers/supervisors is responsible and accountable for providing training and guidance to their personnel and taking prompt, appropriate corrective action upon encountering evidence of inappropriate conduct.

4. Policy. All civilian employee at MCAGCC, Twentynine Palms, have the right to work in an environment free of sexual harassment. It is not the intent of MCAGCC, Twentynine Palms, to regulate social interaction or relationships freely entered into by MCAGCC civilian employees. However, sexual harassment is unacceptable conduct that undermines morale and interferes with the mission of the Marine Corps and will not be tolerated, nor will the Combat Center allow merit principles to be subverted and used as a tool for sexual harassment.

a. Any military member or civilian employee at the Combat Center who engages in sexual harassment while conducting Center business with military or civilian personnel, or with civilian employees of other Federal agencies will be subject, as appropriate, to disciplinary action.

b. It is the responsibility of every manager and supervisor (military and civilian) to ensure that any instance of sexual harassment is dealt with swiftly, fairly, and effectively. The chain of command shall be fully utilized in support of this policy. Complaints of sexual harassment may be filed through the Negotiated Grievance Procedures, or Equal Employment Opportunity.

MAY 20 1997

5. Actiona. Employees

(1) Adhere to the Combat Center policy against sexual harassment in the work force.

(2) If sexually harassed, make it clear to the offender that such behavior is offensive.

(3) Report alleged incidents of sexual harassment to their supervisor, the Marine Corps Civilian Human Resources Office - West (MCCHRO-W) Satellite Manager, or the appropriated fund Equal Employment Opportunity (EEO) counselor.

b. Commanders, Managers and Supervisors

(1) Set the proper example for subordinates by their own behavior in providing an environment free of sexual harassment.

(2) Ensure that all their subordinates are aware of the provisions of this Order.

(3) Inform the Human Resources Officer, or the Equal Employment Specialist/EEO counselor of any complaints of sexual harassment.

(4) Ensure the enclosure is prominently displayed by using work center bulletin boards.

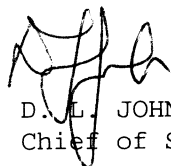
c. MCCHRO-West Satellite Manager

(1) Provide appropriate guidance, assistance, and training to managers, supervisor, and employees in the prevention of sexual harassment.

(2) Ensure that the Center policy on sexual harassment is widely publicized.

(3) Expeditiously process instances alleged to be sexual harassment.

(4) Ensure that all levels of commanders, managers, supervisors, and Civil Service employees receive training in the prevention of sexual harassment.



D. L. JOHN  
Chief of Staff

DISTRIBUTION: A-1

## Commanding General's Policy Statement on

### Prevention of Sexual Harassment

*Sexual harassment is a form of unlawful discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:*

- 1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, career; or,*
- 2. Submission to or rejection of such conduct by a person is used as a basis for career, or employment decisions affecting that person; or,*
- 3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.*



The "Reasonable Person Standard" will be used to determine if behavior constitutes sexual harassment. This objective standard considers the recipient's perspective of what a reasonable person's reaction would have been under similar circumstances and in a similar environment and not stereotyped notions of acceptable behavior. For example, a work environment in which sexist remarks or slurs, sexual advances, displays of pornographic material, touching, language, gestures, mannerisms, or other offensive sexual behavior abound can constitute sexual harassment even if other people might deem it to be harmless or insignificant. Sexual harassment is prohibited in the workplace or any other place that is work-connected, as well as the conditions or atmosphere under which people are required to work. Examples of work environment include, but are not limited to, an office, an entire office building, a DOD base or installation, DOD ships, aircraft or vehicles, anywhere when engaged in official DOD business, as well as command-sponsored social, recreational and sporting events, regardless of location. [Note: "workplace" is an expansive term for military members and may include conduct on or off duty, 24 hours a day].

Formal reports of sexual harassment will be investigated and disciplinary action will be swift in substantiated cases including those involving leaders and supervisors who condone such misconduct. DoN Policy on Sexual Harassment, (SECNAVINST 5300.26B) requires commanders to take corrective action in each substantiated incident of sexual harassment. Corrective action includes but is not limited to: *formal or informal counseling, non-punitive letter of caution, security clearance revocation, adverse fitness report, non-judicial punishment (NJP), or court-martial.*

No individual shall -- *commit sexual harassment; take reprisal action against a person who provides information on an incident of alleged sexual harassment; knowingly make a false accusation of sexual harassment; or, while in a supervisory or command position, condone or ignore sexual harassment of which he or she has knowledge or has reason to have knowledge.*

The prevention of sexual harassment exemplifies the Department of the Navy's goal to uphold the highest standards of leadership and personal conduct. Each leader/manager/supervisor is responsible and accountable for providing training and guidance to his/her personnel and taking prompt, appropriate corrective action upon encountering evidence of inappropriate conduct. Sexual harassment is unacceptable, inappropriate, and demeaning. It undermines unit cohesion and will not be tolerated in any form aboard the Marine Corps Air Ground Combat Center. I expect every civilian and military member of this command to support this policy and to work with me to achieve an environment free from all forms of unlawful discrimination.

A handwritten signature in black ink, appearing to read "R. G. Richard".  
R. G. RICHARD

ENCLOSURE (1)